



# MONTANA FISH AND WILDLIFE COMMISSION

## AGENDA ITEM COVER SHEET

**Meeting Date:** August 15, 2019

**Agenda Item:** Trapping Regulations

**Action Needed:** Final

**Time Needed on Agenda for this Presentation:** 60 minutes

**Background:** FWP is proposing nine items for the Furbearer and Trapping and Wolf trapping regulations as outlined below. These are jointly proposed and supported by FWP wildlife, enforcement and legal staff.

- Change language for setbacks on public land roads and trails to: **"Roads and Trails –** Ground sets including snares require a 50-foot setback from the edge of roads and hiking trails that are designated by administrative signs or numbers. **Exception:** Roads closed year-round to motor vehicle and OHV use are not subject to these setbacks, for instance, Kelly-humped roads that are inaccessible to motor vehicle and OHV use but are lawfully accessible by snowmobile." [Note: snares would not be mentioned in the wolf regulations because they are not legal for wolves, and the setback for wolves would be 150 feet].

To be consistent and better avoid conflict, the 50-foot setback would also apply to ground sets using 7X7-inch and larger body-gripping traps along county roads with no defined right of way. The current setback is 30 feet from the center of the road.

- Change pelt-tagging requirement for fisher, otter, bobcat and swift fox from within 10 days of harvest to within 10 days of the calendar close of season.
- Require furbearer and wolf trappers to report all non-target captures. Define "non-target capture" as: "The capture of any animal that cannot be lawfully trapped, including domestic animals, must be reported to FWP within 24 hours. Any such animal that is uninjured must be released prior to the trapper leaving the trap site. If unable to safely release the animal, call FWP. **Exception:** Any such animal that is injured or dead must promptly (with little or no delay) be reported to FWP to determine disposition and/or collection of the animal." Animals that may be lawfully trapped are furbearers or wolves for which the season is open and an individual possession limit has not been reached, nongame wildlife and predators. A trapper may NOT trap any game animal, game bird or migratory bird.
- Remove the word "incidental" from the regulations and replace with the more accurate "excess take" defined as the take of a legally harvestable species after the season is closed or an individual's possession limit has been met.
- Formally adopt the current language for ground set, water set and relaxing snares.
- Clarify the definition of a center swivel to be: "A swivel located on the underside of the trap as near the center of the base plate as reasonably possible. The swivel can be attached directly to the base plate at the center, attached to a D-ring centered on the base plate, or can be included in the chain at a point no more than five normal chain links from a centered D-ring or base plate attachment point at the center."
- Lower fisher quota in the Cabinet Fisher Management Unit from one to zero.
- Create a personal marten quota in Region 1 of 10 per trapper.
- Lower bobcat quota in Region 2 from 200 to 150.

**Public Involvement Process & Results:** Proposals were out for public comment until July 14, and we received 140 comments, all of which are included in the commission packet. Most that spoke to the proposals were supportive, although several want setbacks on all public roads and trails regardless of being closed or open to motor vehicles. Other comments were generally anti-trapping. The Trapping Advisory Committee recommended the pelt-tagging change and supports simplifying and clarifying regulations.

**Alternatives and Analysis:** No change would perpetuate confusing and sometimes inaccurate language and not make changes based on FWP staff input and that from the Trapping Advisory Committee.

**Proposed Motion:** I move the commission adopt FWP's Furbearers and Trapping and Wolf trapping proposals as presented by the department. Except for regular calendar rotation, all other aspects of the Furbearer and Trapping and Wolf regulations are to remain unchanged unless addressed in other proposals.